

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT  
AT ROANOKE, VA  
FILED

SEP 04 2012

JULIA C. [Signature] CLERK  
BY: [Signature] DEPUTY CLERK

MICHAEL RAY THORNTON,

Petitioner

v.

UNITED STATES OF AMERICA,

Respondent

Criminal Action No. 7:05-CR-00029

ORDER

By: Hon. James C. Turk  
Senior United States District Judge

In accordance with the accompanying Memorandum Opinion, it is hereby **ORDERED** and **ADJUDGED** that Respondent's Motion to Dismiss is **GRANTED**; the above referenced motion pursuant to 28 U.S.C. § 2255 is **DISMISSED**; and this action shall be **STRICKEN** from the active docket of this court.

The Clerk is directed to send a certified copy of this Order and the accompanying Memorandum Opinion to Petitioner and to counsel for the United States.

ENTER: This 4<sup>th</sup> day of September, 2012.

James C. Turk  
Senior United States District Judge